

**baldwin public library****RECEIVED****MAY 31 2000****FCC MAIL ROOM**

May 22, 2000

Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Room TW - A325  
Washington, DC 20554

To Whom It May Concern,

In the matter of: Request For Review by Baldwin Public Library (Barbara Hopkins,  
Director) of Decision of Universal Service Administrator - FCC Docket nos. 97-21 and 96-45

BILLED ENTITY NUMBER: 123817  
APPLICATION NUMBER: 140060  
FUNDING REQUEST NUMBER: 217984

The Baldwin Public Library successfully applied for and received Universal Service Discounts on its telephone service in Funding year 1998-99 and has been notified that its request for Funding year 2000-2001 is approvable. It was denied funding for year 1999-2000 on the grounds that the Form 471 was signed prior to the allowable contract date of March 22, 1999 (it was filed correctly on March 30, 1999 during the appropriate period ie. March 24, 1999 and April 6, 1999). The figures supplied were estimates for the period July 1, 1999 and following. My estimates on February 9, 1999 would have been no different on March 30, 1999. I prepared and signed the necessary paperwork in advance in order to avoid the situation which occurred under the Universal Service Program in Year 1 in which the Library was given less than 1 week to file the necessary documents because of SLD requirements. (Form 470 is filed on behalf of the Library by the Nassau Library System). It is our contention that to deny these badly needed funds to a public Library on the basis of a technicality defies logic, common sense, and reason. The Library requests that the Commission restore these funds forthwith.

No. of Copies rec'd 0  
List A B C D E



Federal Communications Commission

May 22, 2000

Enclosed please find the following:

- 1) Copy of Instructions concerning the Universal Service Discount filing dates from the Nassau Library System dated March 19, 1999.
- 2) Copy of Denial of Request For Funding for Baldwin Public Library from USAC dated August 31, 1999.
- 3) Copy of my letter appealing the decision of the Schools and Libraries Division dated September 8, 1999.
- 4) Acknowledgement by USAC of receipt of #3 above dated September 13, 1999.
- 5) Copy of Administrator's Decision on appeal dated May 1, 2000.

Thank you for your attention to this matter and for any assistance you can give the Baldwin Public Library in rectifying this matter.

Very truly yours,

*Barbara Hopkins (s.e.)*

Barbara Hopkins  
Director

BH/sb

- c- Board of Trustees Baldwin Public Library
- c- Administrator  
USAC  
Box 125 - Correspondence Unit  
100 South Jefferson Road  
Whippany, N.J. 07981
- c- The Honorable Carolyn McCarthy  
1 Fulton Avenue  
Hempstead, N.Y. 11550  
Attention: Erin Stevens



UNIVERSAL SERVICE  
ADMINISTRATIVE CO.

## SCHOOLS AND LIBRARIES DIVISION

Box 125 – Correspondence Unit  
100 South Jefferson Road  
Whippany, New Jersey 07981

---

### Administrator's Decision on Appeal – Funding Year 1999-2000

May 1, 2000

\$1362.24

Ms. Barbara Hopkins  
Baldwin Public Library  
2385 Grand Avenue  
Baldwin, NY 11510

Re: Billed Entity Number: 123817  
Application Number: 140060  
Funding Request Number(s): 217984  
Your Correspondence Dated: 9/8/99

After thorough review and investigation of your appeal, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company has resolved your appeal seeking approval of additional discounts for the second program year. This letter addresses our decision concerning each Funding Request Number that was included in your letter of appeal for the Application Number cited above. If your letter of appeal addressed more than one Application Number, a separate letter will be issued to inform you of our decision on the appeal of each Application Number.

Funding Request Number: 217984  
Decision on Appeal: Denied in full  
Denial Reason(s):

- Form 471 was signed on 2/9/99, which is prior to the Allowable Contract Date of 3/22/99 (the 28<sup>th</sup> day after posting the Form 470 on the SLD Web Site) for new services. SLD has confirmed this by examining the date that you signed your application (Line 31 signature date) and/or the date that the SLD received your application. If either of these dates was before the 28<sup>th</sup> day after the posting date of your Form 470, then your application did NOT comply with the program rules governing the preparation and submission of Form 471.

If you feel further examination of your application is in order, you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12<sup>TH</sup> Street, SW, Room TW-A325, Washington, DC 20554. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted to the SLD Web Site at <[www.sl.universalservice.org](http://www.sl.universalservice.org)>. You must file your appeal with the FCC no later than 30 days from the date of the issuance of this letter, in order for your appeal to be timely filed.

You should now move ahead, if you haven't already done so, with your Form 486 and related post-commitment arrangements for services for which funds have been committed and services have begun to flow. We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

**USAC**  
UNIVERSAL SERVICE  
ADMINISTRATIVE CO.

**SCHOOLS AND LIBRARIES DIVISION**  
Box 125 - Correspondence Unit  
100 South Jefferson Road  
Whippany, NJ 07981

BALDWIN PUBLIC LIBRARY  
BARBARA HOPKINS  
2385 GRAND AVE  
BALDWIN NY 11510-3218

August 31, 1999

Re: Form 471 Application Number: 140060  
Funding Year: 07/01/1999 - 06/30/2000  
Billed Entity Number: 123817

Thank you for your 1999-2000 E-rate application and for any assistance you provided throughout our review. We have completed processing of your Form 471. This letter is to advise you of our decisions.

**FUNDING COMMITMENT REPORT**

From your Form 471, we reviewed row-by-row discount requests in Items 15 and 16. We assigned each row a Funding Request Number (FRN). On the pages following this letter, we have provided a Funding Commitment Report for each FRN in your application.

Attached to this letter you will find a guide that defines each line of the Funding Commitment Report and a complete list of FRNs from your application. The SLD is also sending this information to your service provider(s) so arrangements can be made to begin implementing your E-rate discount(s). We would encourage you to contact your service providers to let them know your plans regarding these services.

**FOR QUESTIONS**

If you have questions regarding our decisions on your E-rate application, please notify us in writing. Your questions should be sent to: Questions, Schools and Libraries Division, Universal Service Administrative Company, Box 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981.

**FOR APPEALS**

If you wish to appeal to the SLD, your appeal must be made in writing and received by us within 30 days of issuance of this letter as indicated by its postmark. In your letter of appeal, please include: correct contact information for the appellant, information on the Funding Commitment Decision you are appealing and the specific Funding Request Number in question, and an original authorized signature. Appeals sent by fax, e-mail or phone call cannot be processed. Please mail your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. You may also call our Client Service Bureau at 888-203-8100. While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC): FCC, Office of the Secretary, 445 12th Street SW, Room TW-A 325, Washington, D.C. 20554.

**NEXT STEPS**

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step is to complete and submit the enclosed FCC Form 486. This Form notifies the SLD that you are currently receiving or have begun receiving services approved for discounts and provides certified indication that your technology plan(s) has been approved. As you complete your Form 486, you should also contact your service provider to verify they have received notice from the SLD of your commitments. After the SLD processes your Form 486, we can begin processing invoices from your service provider(s) so they can be reimbursed for discounted services they have provided you. For further detailed information on next steps, please review all enclosures.

FUNDING COMMITMENT REPORT FOR APPLICATION NUMBER: 0000140060

Funding Request Number: 0000217984      Funding Status: Unfunded or Denied  
SPIN: 143001359      Service Provider Name: Bell Atlantic dba New York Tel. Co.  
Provider Contract Number: T  
Services Ordered: Telecommunications Services  
Earliest Possible Effective Date of Discount: 07/01/1999  
Contract Expiration Date: N/A  
Pre-discount Cost: \$4,128.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated  
Funding Commitment Decision Explanation: The Form 471 application was signed prior to the expiration of the 28-day waiting period from the day of the posting of the Form 470 Request for New Services to the SLC Web Site.

$$\$4128 \times .33\% = \$1362.24$$

POST-COMMITMENT REMINDER

We would like to remind you that all approved applicants are subject to post-funding commitment audits and other reviews by the SLD to assure that the discounts are being used in compliance with the program rules. Any applicant that is found to have violated program rules will be subject to enforcement activities and other means of recourse by the SLD and other appropriate Federal, State and local authorities.

We look forward to continuing our work with you on connecting our schools and libraries together through communications.

Sincerely,  
Kate L. Moore  
President, Schools and Libraries Division, USAC

Enclosures

# NASSAU LIBRARY SYSTEM

---

Andrew Geddes, Interim Director

To: Member Library Directors  
From: Debbie Jaszcar, NLS Computer Support Coordinator  
Date: March 19, 1999  
Re: Form 471

On March 16, 1999, I held a meeting regarding the completion of Form 471. Below is a summary of the instructions given.

The following are instructions for completing Form 471 based on current information.

Who has to complete Form 471?

The E-rate program is a two-step process. First eligible entities must file a Form 470, Description of Services Requested. After the form is posted on the SLC web site for 28 days, billed entities can file the Services Ordered Form 471. NLS filed a Form 470 on behalf of all member libraries with hopes of aggregating demand and obtaining better pricing for requested services. Then next step is for member libraries to complete the Form 471 for those services billed directly to you from your provider. Since NLS is the billed entity for the T1 lines and the Corstar maintenance contracts, NLS will be completing Form 471 for those services on behalf of libraries.

**The group application was filed on February 23. Therefore, the you may mail your Form 471 after March 24. It must be received by the SLC by April 6.**

The billed entity must complete Form 471. The billed entity is the library that receives the bill from the provider. Individual libraries receive a bill for voice telephone service as well as other eligible services. You can complete a Form 471 for those eligible services. NLS receives the bill from Bell Atlantic for libraries with T1 lines. NLS will complete the Form 471 for the T1 service on behalf of the libraries.

This year you can complete your Form 471 online. Go to the SLC web site at <http://www.slcfund.org> and click on the Form 471 link on the left-hand side.

What services should I apply for?

Each individual library that wants a discount on Plain Old Telephone Service (POTS) must complete a Form 471. **YOU DO NOT NEED TO HAVE A TECHNOLOGY PLAN IF YOU ARE ONLY APPLYING FOR POTS.**

The group Nassau Library System technology plan was approved.

If your library has filed a separate Form 470 and completes a Form 471 **YOU WILL NEED TO HAVE A TECHNOLOGY PLAN APPROVED BY NLS.** The group Nassau Library System technology plan was approved.



# baldwin public library

September 8, 1999

Letter of Appeal  
Schools and Libraries Division, Box 125  
Correspondence Unit  
100 South Jefferson Road  
Whippany, N.J. 07981

Dear Sir or Madam,

My name is Barbara Hopkins. I am the Director of the Baldwin Public Library (address and telephone number below are the same as appellant information on Form 471 filed on 3/29/99 for funding year 7/1/99-6/30/00.)

Application #140060  
Funding Commitment Report #000140060  
Filing Request #00217984  
Spin #143001359  
Billed Entity #123817

I have been informed as per your letter of 8/31/99 (copy enclosed) that the Library's request for funding during this period was denied because I signed the Form 471 prior to the expiration of the 28 day waiting period from the day of the posting of the Form 470 Request (copy enclosed). It was my understanding from the Nassau Library System that this form should be filed between 3/24/99 and 4/6/99. I actually filed it on 3/30/99. I had prepared the form in advance in order to avoid any delay in filing. Since the figures were estimates, I do not believe that my estimate on 2/9/99 (date of signature) would have been substantially different on 3/30/99. Since the Baldwin Public Library has successfully filed for all previous e-rate discounts, I am hoping that there might be some method by which this error can be corrected. I would be most grateful for any assistance you can give me and the Baldwin Public Library.

Thank you for your attention to this matter.

Very truly yours,

*Barbara Hopkins*  
Barbara Hopkins  
Director

BH/aj  
cc: Honorable Carolyn McCarthy



September 13, 1999

Barbara Hopkins  
Baldwin Public Library  
2385 Grand Avenue  
Baldwin, NY 11510

The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence regarding the 1999-2000 funding decision on your application. Here are the steps that will now follow:

1. We will review your correspondence carefully to identify its specific focus, and to determine whether it is an inquiry (seeking further information about a decision) or an appeal (seeking a change in a decision).
2. In either case – an appeal or an inquiry – we will consult the program integrity assurance records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. In the case of an appeal, once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. We will then follow with a funding commitment decisions letter for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the SLD and/or the Federal Communications Commission.
4. In the case of an inquiry, we may respond via telephone call, E-mail or written letter.

We plan to begin in-depth review of all appeals and inquiries in September 1999, after funding commitments have been completed for 1999-2000. Once the review process begins, our goal is to respond to you as quickly as possible. We thank you in advance for your patience as we handle your case with the care and attention it deserves.

Schools and Libraries Division  
Universal Service Administrative Company